

City of San Leandro

Civic Center, 835 E. 14th Street
San Leandro, California 94577
www.sanleandro.org



November 3, 2011

Mr. Damon McKinney
C&M Trailer Rental
2661 Alvarado Street, Unit 22
San Leandro, California 94577

Mr. Robert Legallet (Property Owner)
2661 Alvarado LLC
1401 Griffith Street
San Francisco, California 94124

Subject: Notice to Proceed with Revocation of the Conditional Use Permit, PLN2011-00021, for C&M Trailer Rental, 2661 Alvarado Street, Unit 22, San Leandro, California.

Dear Mr. McKinney and Mr. Legallet:

This letter is to serve notice of the City's intent to proceed with revocation of Conditional Use Permit, PLN2011-00021, to operate a trailer rental and trailer sales business at 2661 Alvarado Street, Unit 22, approved by the Board of Zoning Adjustments (BZA) on September 1, 2011. In addition, at this time, the City will not issue a Business License for this commercial activity. All activity related to the trailer business on the property must cease immediately.

The City has found that the property referenced above in the Conditional Use Permit was used for an unauthorized activity other than the operation of the trailer rental business through rental to an entity that conducted a public assembly in the trailer business location from Friday evening, September 30, 2011 to early Saturday morning, October 1, 2011. Specifically, the City finds that this unauthorized occupancy violates PLN2011-000021 Conditions of Approval, Section **II. PERMITTED USES** (see excerpt below) because it was not approved by the BZA as a modification to the use permit.

II. PERMITTED USE

- A. This conditional use permit allows to operate a trailer rental and trailer sales business at 2661 Alvarado Street, Unit 22, where Vehicle/Heavy Equipment Dealers, Used and Vehicle/Heavy Equipment Sales are conditionally permitted uses in the IG Industrial General District; Alameda County Assessor's Parcel Number 77A-648-3-11. Per the proposed conditional use permit application there shall be no display or storage of the trailers outside the building.

Stephen H. Cassidy, Mayor

City Council:

Pauline Russo Cutter
Ursula Reed

Michael J. Gregory
Diana M. Souza

Jim Prola
Joyce R. Starosciak

Mr. Damon McKinney
Mr. Robert Legallet
C&M Trailer Rental
2661 Alvarado Street, Unit 22
San Leandro, California 94577
November 2, 2011

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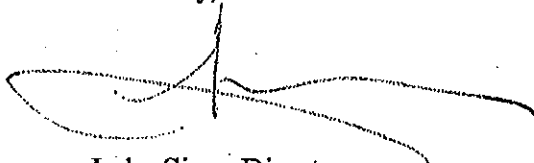
- B. Any change or additional occupancy deemed minor in nature may be approved by the Community Development Director. A change or additional occupancy deemed major shall be referred to the Board of Zoning Adjustments for its consideration as a modification to the existing use permit.

Pursuant to Article 29, "Enforcement" of the Zoning Code (see attached), a public hearing notice will be provided to you both, and to the property owners and business owners within 300 feet of the exterior boundaries of the subject property in the same manner for the previous BZA meeting on September 1. The BZA shall conduct the public hearing at 7:00 p.m., Thursday, December 1, 2011 in the City Council Chambers to consider revoking the CUP by making one or more findings listed in Article 29.

The City urges you to cease use of Unit 22 on the subject property and not to hold or rent the space for any other unauthorized activity or use. Per Article 29 (Section 5-2908 A. 1.) failure to comply with land use and development regulations may require prosecution of a violation as a misdemeanor, and any such violation constituting a misdemeanor under this Code may, in the discretion of the Zoning Enforcement Official, be charged and prosecuted as an infraction.

If you have any questions regarding this letter or have any questions about the attachment, please call Tom Liao, Planning Manager, at 510-577-6003.

Sincerely,



Luke Sims, Director
Community Development Department

Attachment: Zoning Code Article 29 Enforcement

Cc: Lianne Marshall, City Manager
Sandra Spagnoli, Chief of Police
Richard Pio Roda, Assistant City Attorney
William Schock, Zoning Enforcement Official
Tom Liao, Planning Services Manager
Sally Barros, Senior Planner